

Remarks/Arguments

1. Claims 1-11 are pending. In view of the election of claims 1-3, with traverse, claims 4-11 are withdrawn. Claims 1 and 2 stand rejected, under 35 U.S.C. § 102, as anticipated by Cheung et al. (hereinafter "Cheung"). Claim 3 stands rejected, under 35 U.S.C. § 103, for obviousness. While Applicants assume that the Examiner has rejected claim 3 as obvious over Cheung in view of Craig et al. (hereinafter "Craig"), and have addressed the rejection accordingly herein, the language used in the Office Action, at page 3, number 6, is somewhat unclear. Applicants respectfully request clarification from the Examiner in the next communication.

2. With respect to the Information Disclosure Statement, Applicants respectfully request clarification regarding which submitted reference has not been considered. While the Office Action of May 20, 2003 (see page 2) indicates that WO 00/23804 has not been considered, the initialed form considered on May 13, 2003 shows the Examiner's initials for this reference, but not for JP 08187099, which has been crossed out and not initialed.

3. Claims 1 and 2 stand rejected, under 35 U.S.C. § 102, as anticipated by Cheung. Applicants respectfully traverse this rejection. Cheung reports a PARP activity assay in which free PARP is autoribosylated with a mixture of NAD, biotinylated NAD, and ³H-NAD. It is only after PARP autoribosylation that streptavidin-conjugated SPA beads are added to the reaction mixture, allowing the autoribosylated PARP to interact with the streptavidin labeled beads (see Cheung at page 25, second column, first full paragraph). Accordingly, given that Cheung fails to disclose autoribosylation of an "immobilized" PARP, as required by claim 1, and fails to disclose autoribosylation of a PARP immobilized on a multiwell plate, as required by claim 2, this reference fails to anticipate claim 1 and claim 2. As an additional note, Applicants have amended independent claim 1 (from which claim 2 depends) to even better clarify that the claimed assay does not use radioactivity as a means to detect PARP activity. (Support for this amendment is found throughout the specification as originally filed, for example, at page 2, lines 18-19 and lines 29-30, and at page 12, lines 13-14; therefore, no new matter is added by the proposed amendment.) As the Examiner will appreciate, Cheung discloses the use of NAD that includes ³H-NAD. Therefore, entry of the amendment hereinabove and reconsideration of the Office Action mailed May 20, 2003 are respectfully requested.

4. Claim 3 stands rejected, under 35 U.S.C. § 103, for obviousness over Cheung in view

Appl. No. 10/053,262
Amendment dated November 20, 2003
Reply to Office Action of May 20, 2003

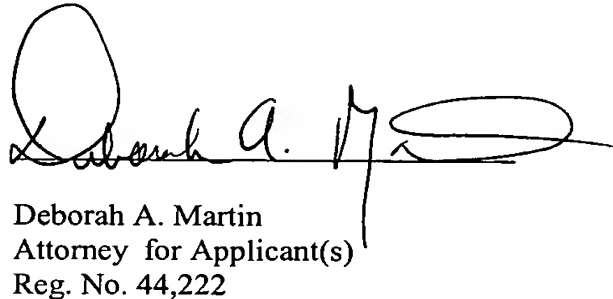
of Craig. Applicants respectfully traverse this rejection. The above-noted deficiency of Cheung, related to failure to disclose the use of immobilized PARP for autoribosylation, is also relevant to this obviousness rejection. This failure in Cheung is not cured by Craig, even assuming that there is motivation to combine these references. Craig generally describes methods of monitoring enzymatic activity as a function of monitoring the interaction of binding partners (see abstract). With respect to the PARP assay disclosures in Craig cited to by the Examiner (i.e., column 25, lines 1-36, column 26, lines 39-45, and column 37, lines 24-32), these are merely related to a supposed PARP assay using 2 fluorophores that assess PARP dimerization. Nowhere in these passages does Craig disclose or suggest PARP immobilization. In addition, nowhere does Craig disclose or suggest that avidin-streptavidin reagents could be successfully used, either alone or, more importantly, in combination with an immobilized PARP, to measure PARP activity. Therefore, reconsideration of the Office Action mailed May 20, 2003 is respectfully requested.

5. Applicants believe that the amendment hereinabove places the Application in condition for immediate allowance. Therefore, entry of the amendment hereinabove and reconsideration of the Office Action mailed May 20, 2003 are respectfully requested. Such prompt and favorable action is earnestly solicited.

Respectfully submitted,

Date: November 20th, 2003

Pfizer Inc.
Patent Department, MS 8260-1611
Eastern Point Road
Groton, Connecticut 06340
(860) 715-1821


Deborah A. Martin
Attorney for Applicant(s)
Reg. No. 44,222